

Remarks

Applicants again offer their thanks for the Examiner's participation in the telephonic interview and respectfully request reconsideration of the present U.S. Patent application. Claims 1-25 stand rejected. Claims 1, 8, 15, and 21 have been amended. Applicants believe the amendments find support in the original specification as filed. Claims 5 and 12 have been withdrawn. No claims have been added or cancelled. Thus, claims 1-4, 6-11, and 13-25 are pending.

REJECTIONS UNDER 35 U.S.C. §103

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mahalingam et al. (U.S. Pat. 6,052,733, hereinafter "Mahalingam") in view of Anand, et al. (U.S. Pat. 6,141,705, hereinafter "Anand"). The Office Action states in part, regarding Mahalingam,

As per claims 1 and 8, it is disclosed by Mahalingam et al., of method and accessible medium having instructions, when accessed by a machine, directs the machine to perform tasks (col. 1, lines 37-40 and col. 18, lines 36-40). A team of network interface cards are shared and used for processing by the team for primary use processing (col. 2, lines 24-30) A network interface card (NIC) is chosen as the primary network interface card (col. 5, lines 1-3 & col 8, lines 55-59), which is interpreted by the examiner as assigning processing of the data to a first member. When it is determined that the primary network interface card (first member) is faulty (lacks the capability for processing the data), a functional (having the capability) secondary network interface card (second member) is given the tasks and appointed the new primary network interface card to process the data (col. 5, lines 29-44). Mahalingam et al. discloses of selection of a NIC that is less loaded than at least one other NIC in the plurality of NICs (col. 15, lines 29-34) whereby the examiner is interpreting this to mean that the other NICs are heterogeneous, or perform different tasks. The transition from the failed primary network interface card (first member) to the secondary network interface card (second member) is a transparent fail-over process to the client computer (col. 5, lines 3-8 & col. 6, lines 20-23). The teachings of Mahalingam et al., are silent in disclosing of secondary use processing. It is disclosed by

Anand et al of offloading tasks to network interface cards, which can perform many other tasks otherwise performed by the computer CPU in software (col. 3, lines 5-8). Anand et al teaches secondary use processing of data (i.e., rather than perform certain of the CPU intensive operations on the data packet as it passes through the respective network layers – e.g., checksum calculation/verification, encryption/decryption, message digest calculation and TCP segmentation – those tasks can instead be offloaded and performed at the NIC hardware)(col. 3, lines 39-44).

(p. 3-4, Office Action 10/18/2005)

Amended Claim 1 reads as follows:

providing primary and secondary use processing of data, comprising:
 receiving data for processing by said team;
assigning processing of said received data to a first member of said team;
 and
if processing of said data includes encryption processing, determining if
 the first member lacks a functionality required for encryption
 processing said data, and if so, distributing processing of said data to at
 least one second member of said team having encryption processing
 functionality, for transparent processing by the at least one second
 member on behalf of the first member.

Applicants respectfully submit that Claim 1 is not rendered obvious by Mahalingam in view of Anand. A combination of Mahalingam and Anand fails to teach at least distributing encryption processing to a second member if the first member lacks functionality required for encryption processing, a limitation of Claim 1. Thus, Applicants respectfully submit Claim 1 is in condition for allowance and earnestly solicit such action.

Because independent claims 8, 15, and 21 recite limitations similar to Claim 1, they are thus similarly in condition for allowance, and such action is also earnestly solicited. Further, claims 2-4, 6, 7, 9-11, 13, 14, 16-20, and 22-25 are dependent on claims 1, 8, 15, and 21, respectively, and incorporate the limitations of those claims.


Thus, claims 2-4, 6, 7, 9-11, 13, 14, 16-20, and 22-25 are similarly not obvious in light of Mahalingam in further light of Anand.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections to Claims 1-4, 6-11, and 13-25 have been overcome. Thus, claims 1-4, 6-11, and 13-25 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: January 18, 2006


Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

On: January 18, 2006

Signature:


Katherine Jennings